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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

32

Application Number

09/943,531

Filing Date

30 August 2001

First Named Inventor

Carl RISINGER

Group Art Unit

1635

Examiner Name

Unknown

Attorney Docket No.

524592002000

## ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

Other Enclosure(s) (please identify  
below):

Sequence Listing Transmittal (copy)

Sequence Listing in paper form (copy)

☒ Raw Sequence Listing Error Report  
(copy)

Sequence Listing Amendment (copy)

Sequence Listing return-receipt

postcard (copy)

Return-receipt postcard

☒ Extension of Time Request

☒ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/  
Incomplete Application

☒ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Terminal Disclaimer

☐ Request for Refund

☒ CD, Number of CD(s) 1

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Bruce D. Grant Reg. No. 47,608

Morrison & Foerster LLP

3811 Valley Centre Drive, Suite 500, San Diego, California 92130

Signature

Date

April 18, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on April 18, 2002.

Rebekah Werth

sd-88611

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**FEE TRANSMITTAL  
FOR FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                |
|----------------------|----------------|
| Application Number   | 09/943,531     |
| Filing Date          | 30 August 2001 |
| First Named Inventor | Carl RISINGER  |
| Examiner Name        | Unknown        |
| Group Art Unit       | 1635           |
| Attorney Docket No.  | 524592002000   |

COPY OF PAPERS  
ORIGINALLY FILED**TOTAL AMOUNT OF PAYMENT**(\$)**785.00****METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952, referencing 524592002000**Deposit Account Name **Morrison & Foerster LLP**

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

**SUBTOTAL (1)** (\$)**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| -20** =            | x            | = \$           |          |
| Independent Claims | -3** =       | x              | = \$     |
| Multiple Dependent |              | = \$           |          |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |          |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |          |
| 104            | 280             | 204            | 140             | Multiple dependent claims, if not paid                    |          |
| 109            | 84              | 209            | 42              | **Reissue independent claims over original patent         |          |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |          |

**SUBTOTAL (2)** (\$)

\*\* or number previously paid, if greater; For reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 65       |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet                       |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for <i>ex parte</i> reexamination                       |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                       |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                          |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                       |          |
| 116            | 400             | 216            | 200             | Extension for reply within second month                                      |          |
| 117            | 920             | 217            | 460             | Extension for reply within third month                                       |          |
| 118            | 1,440           | 218            | 720             | Extension for reply within fourth month                                      | 720      |
| 128            | 1,960           | 228            | 980             | Extension for reply within fifth month                                       |          |
| 119            | 320             | 219            | 160             | Notice of Appeal   |          |
| 120            | 320             | 220            | 160             | Filing a brief in support of an appeal                                       |          |
| 121            | 280             | 221            | 140             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                                |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,280           | 241            | 640             | Petition to revive - unintentional   |          |
| 142            | 1,280           | 242            | 640             | Utility issue fee (or reissue)   |          |
| 143            | 460             | 243            | 230             | Design issue fee   |          |
| 144            | 620             | 244            | 310             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions of the Commissioner  |          |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                                |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                    |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per properties (times number of properties) |          |
| 146            | 740             | 246            | 370             | Filing a submission after final rejection (37 CFR § 1.129(a))                |          |
| 149            | 740             | 249            | 370             | For each additional invention to be examined (37 CFR § 1.129(b))             |          |
| 179            | 740             | 279            | 370             | Request for Continued Examination (RCE)                                      |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                    |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**(\$)**785****SUBMITTED BY**

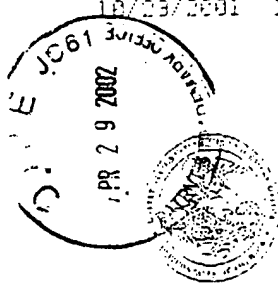
Complete (if applicable)

|                   |                |                                   |                |           |                |
|-------------------|----------------|-----------------------------------|----------------|-----------|----------------|
| Name (Print/Type) | Bruce D. Grant | Registration No. (Attorney/Agent) | 47,608         | Telephone | (858) 720-7962 |
| Signature         |                | Date                              | April 18, 2002 |           |                |

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

sd-88627



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/943.531         | 08/30/2001          | Carl Risinger         | GG119.2US              |

28996  
GEMIN GENOMICS, INC  
139 WELLS AVENUE  
NEWTON, MA 02459

CONFIRMATION NO. 9953

## FORMALITIES LETTER



\*OC000000005932841\*

Date Mailed 10/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

05/01/2002 HNOHANN1 00000068 031952

01 FC:205 65.00 CR

Adjustment date: 05/31/2002 HNOHANN1  
05/01/2002 HNOHANN1 00000068 031952  
01 FC:205 65.00 CR

A copy of this notice **MUST** be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE